IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.3171 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.Girishkumar V.Pandya for the petitioner.

Mr.D.S.Mhaispurkar, APP for Respondent/State.

Coram : R.M.S.Khandeparkar & R.S.Mohite,JJ

Date : 23.12.2005.

PC

. Taken up on board on request.

1. Heard learned Advocate for the petitioner. The petitioner seeks to challenge the order dated 1.12.2005 whereby the Sessions Judge has directed to issue non-bailable warrant on account of failure on the part of the petitioner to deposit the amount directed to be deposited by way of compensation while convicting the petitioner. Undisputedly, the petitioner has not deposited the

amount till this date. Undisputedly, there has been no stay granted against the direction of deposit of the amount by the appellate authority. It was sought to be argued that the petitioner was unable to pay the said amount on account of financial difficulty. However, contention is not borne out from the record. Being so, no fault can be found with the order passed by the Sessions Court issuing non bailable warrant. Reliance was sought to be placed in the decision in the case of **Htanda Meah v.Anamale Chettyar reported in AIR 1936 Rangoon 247**. Our attention was drawn to the observation at page 248. None of those observations are of any help in the case in hand as the same are totally on different set of facts. There is no case for interference in the writ jurisdiction. Petition is therefore, rejected.

(R.M.S.Khandeparkar,J)

(R.S.Mohite,J)